IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 2095 of 1995
WITH
CIVIL APPLICATION No 434 of 1996

For Approval and Signature:

HON'BLE MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PATEL PREMJI RATNA

Versus

MOLVI MOHMADBHAI IBRAHIM BAKALI

Appearance:

1. Civil Revision Application No. 2095 of 1995
MR YS MANKAD for Petitioner No. 1
MR SHAKEEL A QURESHI for Respondent No. 1
RULE SERVED BY DS for Respondent No. 2

CORAM : HON'BLE MR.JUSTICE P.B.MAJMUDAR

Date of decision: 27/09/2004

ORAL JUDGEMENT

1. By filing this Revision Application, the petitioner, original defendant No. 1 has challenged the order of the trial Court below Ex. 17 in Civil Suit No. 553 of 1993. By the impugned order, the trial Court has granted the application of the plaintiff for making local inspection of the premises in question. It is the aforesaid order, which is impugned in this Revision Application.

2. Since the impugned Revision is filed against an interlocutory order, Revision is not maintainable under the amended provisions of section 115 of the Civil Procedure Code.

3. In the result, this CRA is not maintainable and stands rejected accordingly. Rule is discharged. Interim Relief stands vacated. No order as to costs.

4. In view of the aforesaid order passed in the main Revision Application, Civil Application No. 434 of 1996 does not survive and it stands rejected accordingly.

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